

#3

## DECLARATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

### METHOD AND APPARATUS FOR STIMULATING ANGIOGENESIS AND WOUND HEALING BY USE OF EXTERNAL COMPRESSION

the specification of which (I authorize Choate, Hall & Stewart to check one of the following, three choices, and fill in the blanks, if applicable):

\_\_\_ is attached hereto

X was filed on March 23, 2001 as Application  
Serial No. 09/815,528 and amended on \_\_\_\_\_ (if applicable).

\_\_\_ was filed as PCT international application No. \_\_\_\_\_,  
on \_\_\_\_\_ and was amended under PCT Article 19  
on \_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understood the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledged the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s):

Priority Claimed

(Number)	(Country)	(Day/Month/Year/Filed)	Yes	No
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(Number)	(Country)	(Day/Month/Year/Filed)	Yes	No
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I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) or PCT international application(s) designating the United States of America listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

_____	_____	_____
(Application Serial No.)	(filing date)	(status-patented, pending, abandoned)

_____	_____	_____
(Application Serial No.)	(filing date)	(status-patented, pending, abandoned)

PCT Applications designating the United States:

_____	_____	_____
(PCT Appl. No.)	(U.S.S.N.)	(status-patented, pending, abandoned)

I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national filing date of this application.

Provisional Application(s):

_____	_____	_____
Application Number	Filing Date	Status

_____	_____	_____
Application Number	Filing Date	Status

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United State Code and that such willful false statements may jeopardize the validity of the application or any patents issued thereon.

Full name of first inventor Kamm, Roger D.

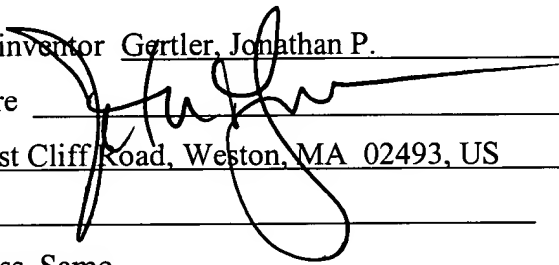
Inventor's signature \_\_\_\_\_ Date: \_\_\_\_\_

Residence 31 Nonesuch Road, Weston, MA 02493, US

Citizenship US

Post Office Address Same

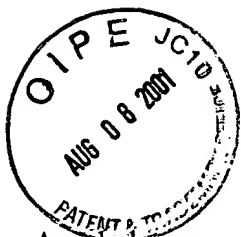
Full name of first inventor Gertler, Jonathan P.

Inventor's signature  \_\_\_\_\_ Date: \_\_\_\_\_

Residence 15 West Cliff Road, Weston, MA 02493, US

Citizenship US

Post Office Address Same



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## DECLARATION

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(Number)	(Country)	(Day/Month/Year/Filed)	Yes	No
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(Application Serial No.)	(filing date)	(status-patented, pending, abandoned)

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(Application Serial No.)	(filing date)	(status-patented, pending, abandoned)

PCT Applications designating the United States:

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(PCT Appl. No.)	(U.S.S.N.)	(status-patented, pending, abandoned)

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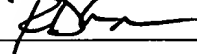
Provisional Application(s):

_____	_____	_____
Application Number	Filing Date	Status

_____	_____	_____
Application Number	Filing Date	Status

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United State Code and that such willful false statements may jeopardize the validity of the application or any patents issued thereon.

Full name of first inventor Kamm, Roger D.

Inventor's signature  Date: 7/07/01

Residence 31 Nonesuch Road, Weston, MA 02493, US

Citizenship US

Post Office Address Same

Full name of first inventor Gertler, Jonathan P.

Inventor's signature \_\_\_\_\_ Date: \_\_\_\_\_

Residence 15 West Cliff Road, Weston, MA 02493, US

Citizenship US

Post Office Address Same

ATTORNEY'S DOCKET NUMBER: 0492611-0375 (MIT 8802)

ASSIGNMENT

In consideration of One Dollar (\$1.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, the undersigned **Roger D. Kamm** of Weston, MA; hereby

Sells, assigns and transfers to **Massachusetts Institute of Technology**, having a place of business at **77 Massachusetts Avenue, Cambridge, MA 02139**, its successors, assigns and legal representatives, all hereinafter referred to as the ASSIGNEE, the entire right, title and interest for the United States and all foreign countries, in and to any and all inventions which are disclosed in the application for United States Letters Patent entitled "**METHOD AND APPARATUS FOR STIMULATING ANGIOGENESIS AND WOUND HEALING BY USE OF EXTERNAL COMPRESSION**" filed **March 23, 2001**, and given serial number **09/815,528** in and to said application and all divisional, continuing, substitute, renewal, reissue and all other applications for Letters Patent which have been or shall be filed in the United States and all foreign countries on any of said inventions; and in and to all original and reissued patents which have been or shall be issued in the United States and all foreign countries on said inventions including the right to apply for patent rights in each foreign country and all rights to priority.

Agree that said ASSIGNEE may apply for and receive Letters Patent for said inventions in its own name; and when requested, without charge to but at the expense of said ASSIGNEE, agree to carry out in good faith the intent and purpose of this assignment by executing all divisional, continuing, substitute, renewal, reissue, and all other patent applications on any and all said inventions, by executing all rightful oaths, assignments, powers of attorney and other papers, by communicating to said ASSIGNEE all facts known to us relating to said inventions and the history thereof, and generally by doing everything possible which said ASSIGNEE shall consider desirable for aiding in securing and maintaining proper patent protection for said inventions and for vesting title to said inventions and all applications for patents and all patents on said inventions, in said ASSIGNEE.

Hereby request the Honorable Commissioner of Patents and Trademarks to issue said Letters Patent to said ASSIGNEE.

Covenant with said ASSIGNEE that no assignment, grant, mortgage, license or other agreement affecting the rights and property herein conveyed has been made to others by us, and that full right to convey the same as herein expressed is possessed by us.

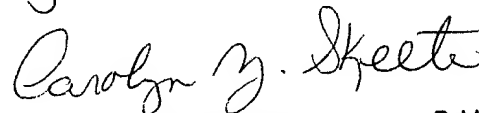
  
\_\_\_\_\_  
Roger D. Kamm

STATE OF Massachusetts  
COUNTY OF Suffolk SS.

Before me this 9 day of July, 2001, personally appeared  
**Roger D. Kamm** known to me to be the person whose name of subscribed to the foregoing  
Assignment and acknowledged that he executed the same as his free act and deed for the  
purposes therein contained.

IN WITNESS WHEREOF, I hereto set my hand and seal at Cambridge,  
MA this 9 day of July, 2001.

NOTARY PUBLIC



[Notary's Seal Here]

My Commission Expires

**CAROLYN Z. SKEETE, Notary Public**  
**My Commission Expires September 21, 2006**



ATTORNEY'S DOCKET NUMBER: 0492611-0375 (MIT 8802)

ASSIGNMENT

In consideration of One Dollar (\$1.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, the undersigned **Jonathan P. Gertler** of Weston, MA; hereby

Sells, assigns and transfers to **The General Hospital Corporation**, having a place of business at **55 Fruit Street, Boston, MA 02114**, its successors, assigns and legal representatives, all hereinafter referred to as the ASSIGNEE, the entire right, title and interest for the United States and all foreign countries, in and to any and all inventions which are disclosed in the application for United States Letters Patent entitled "**METHOD AND APPARATUS FOR STIMULATING ANGIOGENESIS AND WOUND HEALING BY USE OF EXTERNAL COMPRESSION**" filed **March 23, 2001**, and given serial number **09/815,528** in and to said application and all divisional, continuing, substitute, renewal, reissue and all other applications for Letters Patent which have been or shall be filed in the United States and all foreign countries on any of said inventions; and in and to all original and reissued patents which have been or shall be issued in the United States and all foreign countries on said inventions including the right to apply for patent rights in each foreign country and all rights to priority.

Agree that said ASSIGNEE may apply for and receive Letters Patent for said inventions in its own name; and when requested, without charge to but at the expense of said ASSIGNEE, agree to carry out in good faith the intent and purpose of this assignment by executing all divisional, continuing, substitute, renewal, reissue, and all other patent applications on any and all said inventions, by executing all rightful oaths, assignments, powers of attorney and other papers, by communicating to said ASSIGNEE all facts known to us relating to said inventions and the history thereof, and generally by doing everything possible which said ASSIGNEE shall consider desirable for aiding in securing and maintaining proper patent protection for said inventions and for vesting title to said inventions and all applications for patents and all patents on said inventions, in said ASSIGNEE.

Hereby request the Honorable Commissioner of Patents and Trademarks to issue said Letters Patent to said ASSIGNEE.

Covenant with said ASSIGNEE that no assignment, grant, mortgage, license or other agreement affecting the rights and property herein conveyed has been made to others by us, and that full right to convey the same as herein expressed is possessed by us.

  
Jonathan P. Gertler

STATE OF Massachusetts SS.

COUNTY OF Suffolk

Before me this 19<sup>th</sup> day of July, 2001, personally appeared **Jonathan P. Gertler** known to me to be the person whose name of subscribed to the foregoing Assignment and acknowledged that he executed the same as his free act and deed for the purposes therein contained.

IN WITNESS WHEREOF, I hereto set my hand and seal at 60 State Street,  
Boston, MA this 19 day of July, 2001.

NOTARY PUBLIC 

[Notary's Seal Here]

My Commission Expires:

**JOSEPH L. CIARDI**  
Notary Public  
My Commission Expires Oct. 8, 2004